

1 MICHAEL A. FEDERICO, ESQ.  
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8 [mfederico@ocgas.com](mailto:mfederico@ocgas.com)  
9 Attorney for Defendant  
10 *Costco Wholesale Corporation*

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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11 SONIA VERA GUERRERO, an individual, CASE NO.: 2:22-cv-458  
12 Plaintiff,  
13 v.  
14 COSTCO WHOLESALE CORPORATION  
15 dba COSTCO WHOLESALE, a foreign  
16 corporation; DOES I through X; and ROE  
17 ENTITIES I through X,  
18 Defendants.

**PETITION FOR REMOVAL OF CIVIL ACTION**

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20 TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA:  
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22 Petitioner COSTCO WHOLESALE CORPORATION (hereinafter “COSTCO  
23 WHOLESALE CORPORATION” and/or “Petitioner”), a Washington Corporation respectfully  
24 shows:  
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26 1. Petitioner is the Defendant in the above-entitled action;  
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28 2. On February 15, 2022, an action was commenced against Defendant/Petitioner COSTCO  
WHOLESALE CORPORATION and is now pending in the District Court, Clark County,  
Nevada as Case No. A-22-848351-C. Process of Service was served upon Defendant/Petitioner

1 on February 24, 2022. Copies of the Complaint and Summons are attached hereto as Exhibits  
2 "A" and "B" respectively;

3       3. This Notice is timely filed pursuant to 28 U.S.C. §1446(a) and (b);

4       4. Defendant/Petitioner is informed and believes and thereon alleges that there has  
5 been no further proceedings or papers filed in said action;

6       5. This action is a civil action of which this Court has original jurisdiction under the  
7 provisions of 28 U.S.C.A. §1332 and is one which may be removed to this Court by  
8 Defendant/Petitioner pursuant to the provisions of 28 U.S.C.A. §1441(a)(b) in that it is a civil  
9 action which allegedly arises out of a dispute involving diverse parties where the amount in  
10 controversy exceeds the sum or value of \$75,000.00 due to the Plaintiff undergoing ongoing  
11 medical care from a September 15, 2020 slip and fall resulting in alleged severe and debilitating  
12 injuries. She has thus far incurred material past medical bills, past pain and suffering and has  
13 made further allegations of damages. Plaintiff has claimed in excess of \$15,000.00 in damages  
14 in the Complaint since this is the state court jurisdictional threshold. This Plaintiff likely has  
15 past medical bills alone in excess of \$15,000.00, plus a claim of past and future pain and suffering,  
16 medical care and a possible wage loss. All of this resulted after the subject accident and this  
17 Court has original jurisdiction over the claims set forth in Plaintiff's Complaint.

18       6. A copy of Defendant/Petitioner's Notice of Removal of the above-entitled action  
19 to the United States District Court for the District of Nevada, together with copies of the  
20 Summons and Complaint have been deposited with the Deputy Clerk in the Clerk's office for  
21 the Eighth Judicial District Court of the State of Nevada on March 14, 2022. (See, copy of Notice  
22 of Filing Notice of Removal attached hereto as Exhibit "C");

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OLSON CANNON GORMLEY & STOBERSKI  
Law Offices of  
A Professional Corporation  
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Las Vegas, Nevada 89129  
(702) 384-4012      Fax (702) 383-0701

7. Copies of all pleadings and papers served upon Defendant in the above-entitled action are filed herewith; and

8. This Petition is filed with the Court within thirty (30) days after receipt by Defendant/Petitioner herein of the Complaint in the above-entitled action.

WHEREFORE, Defendant/Petitioner prays that the above-entitled action be removed from the Eighth Judicial District Court of the State of Nevada in and for the County of Clark to this Court.

DATED this 14<sup>th</sup> day of March, 2022.

## OLSON CANNON GORMLEY & STOBERSKI

/s/ Michael A. Federico, Esq.  
MICHAEL A. FEDERICO, ESQ.  
Nevada Bar No. 005946  
9950 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
Attorneys for Defendant  
*Costco Wholesale Corporation*

*Law Offices of*  
**OLSON CANNON GORMLEY & STOBERSKI**  
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Las Vegas, Nevada 89129  
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**AFFIDAVIT OF MICHAEL A. FEDERICO, ESQ.**

STATE OF NEVADA )  
 ) ss:  
COUNTY OF CLARK )

MICHAEL A. FEDERICO, ESQ., being first duly sworn deposes and says:

1. That your affiant is an attorney duly licensed to practice law in the State of Nevada and in the United States District Court, District of Nevada, and that he is a member of the law firm of OLSON CANNON GORMLEY & STOBERSKI, maintaining offices at 9950 West Cheyenne Avenue, Las Vegas, Nevada 89129;

2. That your affiant is the attorney for Defendant COSTCO WHOLESALE CORPORATION and makes this affidavit on behalf of the Defendant herein and that affiant has prepared and read the foregoing notice and knows the matters set forth and contained therein to be true and correct to the best of affiant's knowledge and belief:

3. Your affiant further states that on March 14, 2022, through staff he caused to be filed with the Clerk of the Eighth Judicial District Court, a copy of Defendant's Petition for Removal of Civil Action of the above-entitled action to the United States District Court for the District of Nevada at Las Vegas, together with all exhibits, by depositing such copies with the Deputy Clerk in the Clerk's office for the Eighth Judicial District Court of the State of Nevada at the office of the County Clerk, Clark County Courthouse, Las Vegas, Nevada 89101; and

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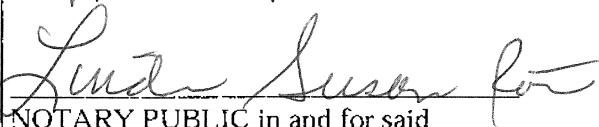
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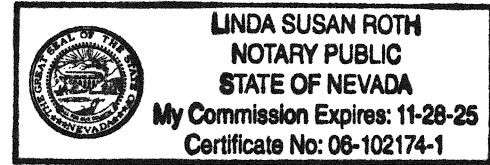
1       4. That your affiant caused to be served a Notice of Removal on David A. Tanner,  
2 Esq., Tanner Law Firm, 7895 W. Sunset Rd., Ste. 115, Las Vegas, Nevada 89113, attorney of  
3 record for the Plaintiff in the above-entitled action by depositing the same in the United States  
4 mail on March 14, 2022.



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7 MICHAEL A. FEDERICO, ESQ.  
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9 Subscribed and sworn before me  
10 this 14<sup>th</sup> day of March, 2022.

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12 NOTARY PUBLIC in and for said  
County and State



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14<sup>th</sup> day of March, 2022, I sent a true and correct copy of the above and **foregoing PETITION FOR REMOVAL OF CIVIL ACTION** to the parties listed below through the CM/ECF system of the United States District Court for the District of Nevada (or, if necessary, by U.S. Mail, first class, postage pre-paid), upon the following:

David A. Tanner, Esq.  
Tanner Law Firm  
7895 W. Sunset Rd., Ste. 115  
Las Vegas, NV 89113  
(702) 987-8888  
[david@tannerlawfirm.com](mailto:david@tannerlawfirm.com)  
Attorney for Plaintiff

Cindie McCulloch  
An Employee of OLSON CANNON GORMLEY & STOBERSKI

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